

USSN: 09/434,586
Attorney Docket No. 54905US002
Response and Amendment
Page 2 of 9

Please amend the application as follows:

In the Claims

Please cancel claims 1-7 and 10 without prejudice.

Please amend claim 8 as follows:

A1
8. A device comprising at least two chambers separated by an activatable seal wherein upon activation of the seal the two chambers are in communication, wherein at least one chamber comprises a biological assay reagent; wherein at least two of the chambers are separated by a seal that rotates upon activation; and wherein a first chamber includes bacteriophage, a second chamber includes an antiviral agent, and a third chamber includes bacterial helper cells.

Please add new claims 28-42:

A2
28. A device comprising at least two chambers separated by an activatable seal wherein upon activation of the seal the two chambers are in communication, wherein at least one chamber comprises a biological assay reagent, wherein the seal is activatable by application of pressure to an outside wall of the device, and wherein the device and the chambers have essentially the same cross-sectional shape.

29. The device of claim 28 wherein at least one of the chambers includes a liquid substance.

30. The device of claim 29 wherein upon activation of the seal the two chambers are in fluid communication.

USSN: 09/434,586

Attorney Docket No. 54905US002

Response and Amendment

Page 3 of 9

31. The device of claim 28 wherein at least one of the chambers includes a solid substance.

32. The device of claim 31 wherein the solid substance is in the form of a powder.

33. The device of claim 28 wherein the biological assay reagent comprises bacteriophage, bacterial helper cells, metabolic regulators, selective agents, proteins, antibodies, enzyme substrates, antiviral agents, dyes, indicator chemistries, pigments, nutrients, or combinations thereof.

34. The device of claim 28 comprising at least three chambers, wherein at least two of the chambers are separated by a seal that rotates upon activation.

35. The device of claim 28 wherein activation of the seal comprises rotating the seal.

36. A device comprising at least two chambers separated by an activatable seal wherein upon activation of the seal the two chambers are in communication, wherein at least one chamber comprises a biological assay reagent and wherein activation of the seal comprises rotating the seal.

37. The device of claim 36 wherein at least one of the chambers includes a liquid substance.

38. The device of claim 37 wherein upon activation of the seal the two chambers are in fluid communication.

USSN: 09/434,586
Attorney Docket No. 54905US002
Response and Amendment
Page 4 of 9

39. The device of claim 36 wherein at least one of the chambers includes a solid substance.

40. The device of claim 39 wherein the solid substance is in the form of a powder.

41. The device of claim 36 wherein the biological assay reagent comprises bacteriophage, bacterial helper cells, metabolic regulators, selective agents, proteins, antibodies, enzyme substrates, antiviral agents, dyes, indicator chemistries, pigments, nutrients, or combinations thereof.

A✓ 42. The device of claim 36 comprising at least three chambers, wherein at least two of the chambers are separated by a seal that rotates upon activation.

A version marked up to show changes made to the claim(s) relative to the previous version of the claim(s) is attached.

Remarks

Applicants cancel claims 1-7 and 10, amend claim 8 and add new claims 28-42 to more completely claim the present invention. Specifically, formal amendments to claim 8, which is indicated as allowable in the Office Action, are made to recast the claim in independent form. Support for the amendments may be found throughout the specification as filed, including the documents and references cited and incorporated therein.

Allowable Subject Matter

Applicants note with gratitude the Examiner's acknowledgement of the general allowability of the subject matter of claims 8, 9, 13-17, 21, and 22.